

FILED BY *JE* J.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 JUN 27 PM 3:1
ROBERT R. DELUCIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION and CONSTANCE AMOS)
Plaintiffs,)
v.) No. 00-2923 Ma/A
AUTOZONE, INC.,)
Defendant.)

ORDER DENYING PLAINTIFF EEOC'S MOTION TO BIFURCATE

Before the court is plaintiff Equal Employment Opportunity Commission's (the "EEOC") "Renewed Motion to Bifurcate the Issues of Liability and Individual Relief During the Trial of this Case," filed on September 2, 2004. Defendant AutoZone, Inc. ("AutoZone") filed a response on October 12, 2004.

The EEOC's "renewed" motion to bifurcate is its second motion requesting bifurcation of the issues of liability and compensatory damages in this case. The EEOC filed its first motion to bifurcate these issues on October 22, 2001. The court denied the earlier motion, in an order dated February 25, 2002, stating:

With respect to the motion to bifurcate the issues of liability and individual relief, that motion is premature. After discovery is concluded, the Court can evaluate the manner in which the case should be tried and make an appropriate resolution of the bifurcation motion in connection with final pretrial preparation. The EEOC may renew this motion after the close of discovery.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 6-28-05

236

February 25, 2002, Order Denying Bifurcation, at 2.

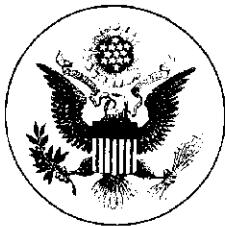
The EEOC filed this renewed motion to bifurcate on September 2, 2004, when the discovery deadline in the suit was February 23, 2005. Consequently, when this "renewed" motion was filed, it was still premature.

For the foregoing reasons, plaintiff EEOC's motion to bifurcate is DENIED.

So ORDERED this 24th day of June 2005.



SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 236 in case 2:00-CV-02923 was distributed by fax, mail, or direct printing on June 28, 2005 to the parties listed.

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